

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JIMMY BYRD,

Petitioner,

- against -

DAWSON BROWN,
Acting Superintendent, Sing Sing
Correctional Facility,

Respondent.

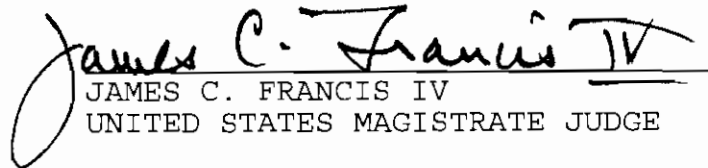
JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

09 Civ. 5755 (GBD) (JCF)

O R D E R

Jimmy Byrd has applied for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, in this habeas corpus proceeding. The issues raised in the petition were fully developed by Mr. Byrd's counsel on direct appeal, and it does not appear that an evidentiary hearing will be necessary. Accordingly, the petitioner's application is denied.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
August 25, 2009

Copies mailed this date:

Jimmy Byrd
04-A-1375
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562

